

REMARKS

Claims

Claims 1-9 are all the claims pending in the application. Claims 1, 2, 4-6 have been amended merely to clarify the claimed invention. Applicants submit that the amendments to claims 1, 2, 4-6 do not raise issues requiring further consideration and/or search. For example, the Examiner has already cited U.S. Patent No. 6,028,299 in the previous Office Action, but has now withdrawn all rejections based on that reference. The Examiner now relies on Applicants allegedly admitted prior art (AAPA) to reject claims in the application. However, the '299 patent discloses substantially the same information as is shown in Figure 1 which illustrates the AAPA. Accordingly, it is respectfully submitted that no further consideration and/or search is required. Therefore, Applicants respectfully request entry of this Amendment.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 7-8 are allowed.

Prior Art Rejections

Claims 1, 2 and 4-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Applicants allegedly admitted prior art (AAPA) Figure 1.

Independent Claim 1

Claim 1 recites, *inter alia*, a shutter gate provided between the photodiode array and the shutter drain, the shutter gate being continuously extended beyond said shutter drain on a side of said shutter drain opposite to said at least one photodiode array.

The Examiner contends in the Office Action that the AAPA electrode for connecting the shutter gates 105a, 105b and for supplying the ϕ SG signal to the shutter gates 105a, 105b in Figure 1, reads on the claimed shutter electrode. Accordingly, it is understood that the AAPA

fails to teach or suggest the shutter gate 105a and 105b continuously extending across the shutter drain 106. By construing the electrode connecting the shutter gates 105a and 105b as the claimed shutter electrode, the Examiner admits that the AAPA does not teach or even suggest that the shutter gate 105a or 105b continuously extends beyond the shutter drain. Applicants have amended the claims to clarify that the shutter electrode is a shutter gate. In view of this amendment, it is clear that Figure 1 fails to teach or suggest that the shutter gate 105a or 105b further continuously extends beyond the shutter drain 106. The electrode that connects the two shutter gates 105a and 105b is a conductor element that applies the ϕ SG signal to the shutter gates 105a, 105b. As the two shutter gates 105a and 105b are separate in Figure 1, there is no teaching or suggestion in Figure 1 that either of the shutter gates (105a or 105b) continuously extend beyond the shutter drain (106 in Figure 1).

Therefore, claim 1 is not anticipated by Figure 1. Applicants respectfully request the Examiner to withdraw the rejection of claim 1 and its dependent claims 2 and 4.

Independent Claim 5

Independent Claim 5 recites, *inter alia*, a shutter drain and a shutter gate provided between said photodiode array and said shutter drain, said shutter gate further continuously extending across said shutter drain. Therefore, claim 5 is not anticipated by claim 1 at least for the reasons discussed above.

Claims depending from claim 5 are patentable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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